

Application No.: 10/699,750
Amendment Date: March 9, 2007
Reply to Office Action: December 14, 2006
Page 6

REMARKS/ARGUMENTS

Claims 1-18 remain in this application. Claim 7 has have been amended. No new claims have been added. Claims 8-18 have been withdrawn as a result of an earlier restriction requirement. In view of the examiner's earlier restriction requirement, applicant retains the right to present claims 8-18 in a divisional application.

Claim Objections

Claim 7 stands objected to because of the following informalities: the word "and" was used repeatedly. Accordingly, claim 7 has been amended to delete one of the words "and".

Claims 1-7 are rejected under 35 USC 102(e) as being anticipated by Badding et al., US Patent Application Pub. 2004/0265664 A1.

However, the present application was filed on the same date (November 3, 2003) as the patent application 10/700,295 which corresponds to the US Patent Application Pub. 2004/0265664 A1. Accordingly, the claims of the present application can not be anticipated by the disclosure provided in US Patent Application Pub. 2004/0265664 A1 because the invention was not described in application filed by another before the invention by the present applicants. Although the referenced publication corresponds to the US Application No. 10/700,295 which is a CIP of US application No 10/611,507 (parent application), the parent application does NOT disclose the subject matter of the invention and provides no disclosure corresponding to paragraph [0072] of the daughter case (10/700,295, published as US Patent Application Pub. 2004/0265664 A1).

Thus, claims 1-7 are NOT anticipated by Badding et al., US Patent Application Pub. 2004/0265664 A1.

Application No.: 10/699,750
Amendment Date: March 9, 2007
Reply to Office Action: December 14, 2006
Page 7

Conclusion

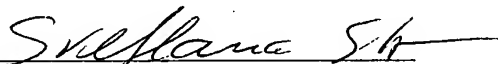
Based upon the above amendments, remarks, and papers of records, applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Applicant believes that no extension of time is necessary to make this Reply timely. Should applicant be in error, applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Svetlana Z. Short at 607-974-0412.

Respectfully submitted,

DATE: 3/9/2007


Svetlana Z. Short
Attorney for Assignee
Registration Number: 34,432
Corning Incorporated
SP-TI-03-1
Corning, NY 14831
Phone: 607-974-0412